

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) DISPENSING PACK
)
KARSTEN BOHNISCH et al) Confirmation No. 7311
)
Serial No. 10/566,563) Group Art Unit 3754
)
Filed January 31, 2006) Examiner Robert K. Nichols, II

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §1.97, the art identified on the attached citation form and other matters discussed below may be helpful to the Patent Office in its examination of the application identified above.

The order of listing of the art on the attached Citation Form should not be construed as an indication of the importance of the listed art.

The two "documents" listed on Form PTO/SB/08A were cited in the pending opposition proceedings against German Patent Appln. No. 103 35 842.0. The first document, document E7 is technical drawing showing a bottle with an inner container and contains information "drawn on 13 March 1997" but does not specify when or where or if its contents have been made publicly available. The opponent also submitted a bottle (which allegedly corresponds to the one depicted in document E7" as the German Federal Patent Court before which the opposition is pending.

The second document, document E9, relates to an excerpt from a technical encyclopedia dealing with various aspects of polymers and injection molding/extrusion techniques.

The Patent and Trademark Office Examiner is requested to review the art and determine the extent of the materiality of the disclosures thereof with respect to the patentability of the subject invention. It is expected that the Patent and Trademark Office Examiner will independently conduct a complete search for relevant prior art.

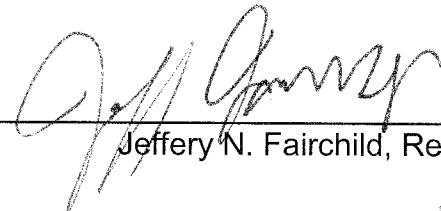
No inference should be drawn and no representation is made or intended: (a) that a search has been made, or if made, was complete; (b) that the art on the attached list presents a comprehensive investigation of the prior art; or (c) that art no more pertinent than that is in existence. [See 37 C.F.R. §1.97(g)]

Citation of any art herein is not to be construed as an admission: (a) that the art disclosure is, or is considered to be, necessarily within the invention field of endeavor, pertinent to the instant invention, or equivalent to the instant invention; (b) that the art disclosure is, or is considered to be, necessarily prior in time to a particular date which may be relevant in the instant patent application; (c) that the art disclosure is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); (d) that the art disclosure is otherwise necessarily prior art with respect to the instant invention and application; and/or (e) that the information, protocols, results and the like reported by third parties are accurate or enabling. [See 37 C.F.R. §1.97(g)]

No inference should be drawn that the discussion of any art herein is a discussion of each and every feature disclosed therein.

Also, there is reserved the right to later set forth how the instant invention is distinguished over the disclosures of any document or other art, including the disclosures of the art cited herein, that may be cited by the Examiner in rejecting a claim in the instant patent application.

Respectfully submitted,

By 

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August 19, 2010

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